

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KENNETH HUBBARD,

Case No.: 2:19-cv-01696-APG-BNW

**Plaintiff**

## **Order Accepting Report and Recommendation and Dismissing This Case Without Prejudice**

DAVID BRUMAN, et al.,

[ECF Nos. 1, 8]

## Defendants

8 On June 25, 2021, Magistrate Judge Weksler recommended that I dismiss this case  
9 without prejudice because plaintiff Kenneth Hubbard has not updated his address with the court  
10 and has not complied with court orders directing him to indicate whether he intended to  
11 prosecute this case. ECF No. 8. Hubbard did not object. Thus, I am not obligated to conduct a  
12 de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district  
13 courts to “make a de novo determination of those portions of the report or specified proposed  
14 findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th  
15 Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings and  
16 recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

I THEREFORE ORDER that Judge Weksler's report and recommendation (**ECF No. 8**) is accepted. Plaintiff Kenneth Hubbard's complaint (**ECF No. 1-1**) is dismissed without prejudice and his application for leave to proceed in forma pauper (**ECF No. 1**) is denied as moot. The clerk of court is instructed to close this case.

DATED this 20th day of July, 2021.

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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE